

INTERVIEW SUMMARY RECORD

Applicants' counsel thanks Examiner Ma and Examiner Kelley for the courtesy of an interview on July 19, 2006. The conference began with a discussion of the claim term "television channel separately selectable." The examiner noted that the claim language did not specify who or what made the selection. In Kunkel, the headend instructs a settop box to tune to a channel, for viewing the interactive session. It was the examiner's view that this would meet the claim language. On the other hand, all the participants in the interview recognized the differences between the invention and Kunkel. Kunkel disclosed individual interactive sessions. The invention provided web pages over a television channel for viewing at any number of televisions where the user selects the channel. The examiners believe that including claim language such as "simultaneous viewing" or "viewable by plural users" would distinguish the claimed invention from Kunkel. Kunkel is an interactive system in which the selected content is sent over the television distribution network, but is only accessible through the individual interactive user's settop box. The examiners likewise found the phrase "discrete digital TV channel" as set forth in claim 29 to be insufficient to distinguish over Kunkel.

With respect to the term "active graphical element", the Examiners interpreted this term as being broad enough to cover an interactive button or a cursor on an interactive screen. In view of the interview discussion, Applicants' counsel agreed to amend the claims to bring them into condition for allowance.

REMARKS/ARGUMENTS

Claims 1, 6, 10, 14, 17, 29 and 30 were rejected under 35 U.S.C. §102(e) as being anticipated by Kunkel et al. Claim 1 has been amended to make clear that delivery as a television channel in accordance with the claimed invention permits “simultaneous viewing on subscriber televisions at which the television channel is selected.” Claim 10 has been amended to specify and make clear that delivering a succession of images as a television channel is performed “so as to be simultaneously viewable on a plurality of the subscriber televisions.” Likewise, claim 17 has been amended to specify the means for delivering is arranged so that the television channel is delivered “so as to be simultaneously viewable on a plurality of the subscriber televisions.” Further, claim 29 has been amended to specify that the “discrete digital television channel for delivery of each carousel of images is simultaneously viewable at a plurality of the subscriber televisions.” The independent claims having been amended to put them into condition for allowance, all of the claims depending therefrom are also allowed.

Kunkel does not seek to provide a web page channel to a plurality of subscriber televisions for simultaneous viewing. Rather, Kunkel describes an interactive access method. Individuals can interact with a browser application at the headend. The user may select a web page which is then sent from the headend to the user over a vertical blanking interval or the like. This is an individual interactive session for a single user. Kunkel states, “Although all of the settop converter boxes 20 on the downstream channel will receive all downstream packets 110, a particular settop converter box 20 will ignore the contents of the data being sent in the packet 110 unless the data payload 112 has a payload session ID corresponding to the session ID of the settop converter box 20.” (column 9, line 67-column 10, line 6). Thus, only a single user views the requested information. Kunkel provides no suggestion of a browser making web pages available for viewing simultaneously on a plurality of televisions in accordance with the methods and apparatus of Applicants’ invention.

According to the Applicants’ invention, a user at any of a plurality of subscriber televisions can view the images provided by the web content server. The channel is selectable at the subscriber television typically by using a remote control to change the channels on the settop box or the television set. Kunkel is entirely distinct in that it sends individually addressed data streams for viewing only by the requesting user. For these

reasons, Applicants submit the amendments overcome the cited art and claims 1, 10, 17, 29 and all claims depending therefrom are patentable over the art of record.

Claims 2, 3, 5, 7, 8, 11, 12, 15, 16, 18, 19, 21-25, 31 and 32 stand rejected under 35 U.S.C. 103 (a) as being unpatentable over Kunkel et al. in view of Bates et al. Bates merely discloses a computer system. Bates makes no mention of television and thus fails to satisfy the deficiencies of Kunkel. Claims 2, 3, 5, 7, 8, 11, 12, 15, 18, 19, 21-23, 31 and 32 depend from the independent claims discussed above. For the reasons set forth above, these claims are in condition for allowance.

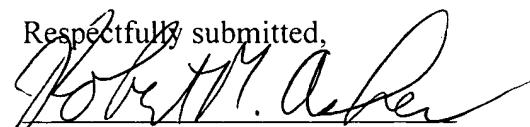
Claims 24 and 25 have been amended. These claims are now independent claims. The claims specify that the active graphical element is streaming video. The ability to make use of a browser application displaying a web page that includes a streaming video element and to provide images captured from the web page in such a manner as to produce a video stream for delivery on a television channel such that the streaming video element can be viewed on a subscriber television is neither taught nor suggested nor disclosed by Kunkel et al. or Bates et al. The image capture module of claim 24 and the act of capturing a succession of image of the web page in claim 25 is not clearly disclosed by Kunkel in an enabling disclosure. At column 7, line 28-39, Kunkel describes constructing a bit map and compressing it to reduce transmission time between the headend and the settop converter box. Kunkel describes a preferred embodiment in which the downstream information is inserted into a vertical blanking interval. Thus, Kunkel has a need to further minimize the amount of information that must be transmitted to the converter box. Kunkel notes that "Only the information necessary to refresh portions of the display screen that are to be changed" is transmitted to the settop converter box. (Column 7, lines 36-39). Applicants' invention on the other hand is designed to capture successive images of the web page such that streaming video may be viewed on a subscriber television. Thus, Applicants' invention sends on a television channel not only a representation of a web page but a successive series of images that may be viewed by the user as streaming video. Applicants respectfully submit that Kunkel et al. fails to disclose, suggest or teach how to deliver streaming video from a browser application to a television channel. For these reasons, Applicants submit that claims 24 and 25 are in condition for allowance.

Claims 4, 9, 13 and 20 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Kunkel et al. in view of Bates et al. as applied to claim 2 above and further in view of Seazholtz et al. There has been no suggestion that Seazholtz satisfies the deficiencies of Kunkel et al. Therefore, these claims should be allowed for reasons as set forth above.

Claims 26-28 stand rejected under 35 U.S.C. 103 (a) as being unpatentable over Kunkel in view of Leak et al. Claim 26 has been amended to specify that the television distribution facility provides a television channel so as to permit simultaneous viewing of the slide show on a plurality of subscriber televisions. As discussed above, this amendment fully distinguishes over Kunkel et al. which provides an individualized interactive system. Leak discloses using a WebTV client system or server system to generate a slide show of web pages. Leak describes a computer system attached to a television for display purposes. Leak does not disclose delivering the carousel of compressed images from a television distribution facility as a television channel separately selectable at any of a plurality of subscriber televisions so as to permit simultaneous viewing on a slide show on a plurality of subscriber televisions. For these reasons, claims 26-28 should be allowed.

For all the foregoing reasons, Applicants submit that all claims present in the application are in condition for allowance and early notice to that effect is respectfully solicited.

Respectfully submitted,



Robert M. Asher

Reg. No. 30,445

Bromberg & Sunstein LLP

125 Summer Street, 11th Floor

Boston, MA 02110-1618

(617) 443-9292

Attorney for Applicants

01436/00159 526173.1